

NOW READY.

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The Daily Press

Hongkong, October 11th, 1871.

The announcement of the death of Mr. JOHN MAXWELL, for a number of years in the H. B. M. Consular Service, and at the time of his decease, officiating Consul at Shanghai, will cause a feeling of very wide-spread regret. All who were acquainted with him, and knew how happily he combined the utmost courtesy and kindness with a thorough sense of his position and responsibilities, must feel that they have lost one whom, in the highest sense, they could call their friend, and that the British Consular Service has been deprived of one of its most gifted members. To the superficial observer, Mr. MAXWELL's frankness and simplicity sometimes appeared to betoken an absence of those sterling qualities which are looked for in persons occupying high public positions. But no greater error could be fallen into. If he could treat light matters easily, if in private life he was far above the artificial dignity, in which those deficient in true largeness of heart and mind are too often fain to hide their littleness, he could rise to all occasions of importance; and, on no occasion, did he act otherwise than as befitted an able official and a cultivated gentleman. His despatches are all of them temperate, clear and terse, while many of them show a mastery of the intricate questions connected with our relations with China such as most men who have been unable to conceive that so much ability accompanied so little display. Mr. MAXWELL's death will be keenly felt in Shanghai, with which place he has long been identified; but we are called upon to lament his loss upon higher, though not less touching grounds, than those of personal regard and respect. His death has to be classed among those saddest of all deaths—those too frequent in treacherous climates—the deaths of men, who have striven too earnestly to achieve objects honorable to themselves and useful to their fellow beings, but who have been cut off in the midst of their efforts, and whose thought, labour and pains seem to have been useless. No more pungent regret can be felt, by those who knew Mr. MAXWELL, than that which arises from the consideration that his career has not been sufficiently prolonged to enable him to display to the full his high talents which he possessed. But still we must find some consolation in the reflection that he has lived long enough to let us know his heart, if we have not all of us known his mind—what, though he dies young, he has not passed away without attaining one of the greatest objects which a man can attain—the object dearest to all men of right feeling, and the consciousness of achieving what has afforded comfort to so many on leaving the scene of their earthly labours—the esteem which all instinctively feel towards those who, if like all mortals they have not been faultless, have yet shown themselves men of good heart, honorable feeling and honest purpose.

The existing state of affairs in the legal world of Hongkong, combined with the appointment of the Hon. Mr. BALL as Acting Attorney-General, has called attention to the question whether the system in force with respect to legal practitioners is by any means the most desirable. At the present moment, the Colony is in the pleasant position of being dependent upon one Barrister in the Supreme Court. Except in the criminal cases, in which the Acting Attorney-General will prosecute, any case which may be brought forward must be without Counsel on one side. True, there is an arrangement by which in the absence of the possibility of obtaining the services of a Barrister, a Solicitor may plead; but every body knows the disadvantage at which any pleader stands when in a position such as this—that is to say, if not actually on sufferance, at least so nearly so, that he cannot possibly command the same authority either with the Court or the Jury as he could were he right to speak properly recognised. He is allowed to address the Court as a *p. v. v.* and under such circumstances, he cannot possibly adopt that authoritative, albeit respectful, position, which it is necessary for a Counsel to assume in order to do justice to his client and his cause. The fact, therefore, that under the exceptional circumstances above-detailed, Solicitors may plead in the Supreme Court, does not do away with the inconvenience of the present system, or greatly diminish its effects in standing in the way of justice; and we are driven to consider what grounds there are for the maintenance of a system so little applicable to the circumstances of the place. The chief reason is, apparently, simply the love of precedent. At home, there are two classes of practitioners, and so of necessity we must have two classes here, even though one class frequently consists only of a single individual. In England, the separation of the two classes of practitioners is perfectly natural, and would no doubt arise without artificial aid. It is simply a natural division of labour, the man possessing the greater powers of speaking following that walk; while others who do not possess special qualifications as pleaders, but are adepts at marshalling facts and evidence, as naturally follow the profession of Attorneys and Solicitors—the result of course being that the best talent is obtained in both walks. But in small places like Hongkong, matters stand on a totally different footing. There is no such wide separation between the talents of the Solicitor for pleading, and those of the Barrister for arranging his case. It is no disparagement to say that in distant parts of the world we can only look for what at home would be mediocrity of talent in either direction. Practising in such parts of the world as Hongkong will not attract the highest class of talent, and there is nothing, therefore, in the nature of the pursuit of either branch of the Profession to make it difficult for a man to set in both capacities. Where pleading of the very highest character is wanted, it is impossible for those who devote their minds to the science to find sufficient time to attend to details; while there is, as well-known, a tendency in all pursuits which depend purely upon thought, to render the hunting out of details an irksome and distasteful task. It would be a simple waste of time for a consummate pleader to occupy

himself with all the minutiae of his cases, while it would be equally absurd for Solicitors of wide experience to argue their own cases when their special talents and experience reside in the direction of the arranging, not pleading, their cases. At home, a Solicitor in good practice may marshal the facts and law of half a dozen cases in the time it would take him to plead one; while, on the other hand, a skilled pleader might take four or five times as long to get the facts of a case together as an experienced Solicitor. Here, however, the law is limited, and the amount of purely pleading business is hardly sufficient for a couple of Barristers in such constant practice at their special branch that they are likely to be unable to attend to details; and the same remark precisely applies to the Solicitors. What, then, is there against an amalgamation of the two professions? We confess it is difficult to see anything in Shanghai, and in many other places, the plan is found to work admirably. Why cannot such be the case also in Hongkong?

As far as the public is concerned, the benefit of doing away with the distinction between Barristers and Solicitors would be much cheaper law; a wider field from which to choose Counsel, and a death-blow, once and for all, of such abuses as a Summary Judgment acting in the capacity of Attorney-General; when being also acting Chief Justice, he may be called upon to hear the cases concerning which he has filed the informations. The barest possibility of this contingency arising ought to be a strong argument for putting an end to the existing division of the two professions. In a place like this, it is altogether artificial, and is utterly unsuited to the public wants. It increases the expense of legal proceedings not only without increasing their efficiency, but in many instances with the contrary result, as it limits in a very undesirable manner the number of men capable of pleading. Hongkong can never support more than one or two Barristers, whereas it is always likely there will be sufficient of the two kinds of work to employ a fair number of efficient men, if the two professions were combined.

The Great East Point Institution, the Sepoy guard, is, we hear, to be given up in disgust, and to be forwarded to Calcutta by the next steamer leaving for that port; their place will be taken by a detachment of Chinese soldiers of good character, and one head man, the engagement of whom we understand has been entrusted to an experienced Police officer.

"It is an evil wind that blows nobody any good," is an old saying, and must have forcibly appeared in the minds of at least two persons yesterday. Through the detention of the *Yokohama* by the late typhoon, a City of London vessel was brought into this harbour, the result being that \$2,000 will have to pass from the owner of the latter to the owner of the former for towing services.

In our report of the inquest on Monday, Mr. ALFORD is made to say in evidence—“Within the last month twenty or thirty houses have come down on account of their dangerous condition. Our attention has been called to the matter in connection with the ‘ward’ might convey, viz., that the houses had fallen. What Mr. ALFORD said, when he said to write, was that this ‘W’ within the last month, about thirty houses have been taken down, or ordered to be taken down, on account of their dangerous condition. We very much regret the error, but hope that it has not misled anyone.”

The Band of the 1st Battalion 10th Regiment will play the following selection in the Public Gardens today, at 5 o'clock. The following is the programme—
March—The Sea is England's Glory—Bailly.
Selection—Polka—Grieg.
Waltz—The Song of the Sea—Grieg.
Selection—Zouge.
Quadrille—Dezobry.
Gala—Asteroid—Kuhner.

It will be observed by reference to the report of the Sea Gull, published in yesterday's paper, that the position of the vessel on Sunday at 6 p.m. was about 60 miles E.B. of Hongkong, and that the barometer was 29.85, and the wind was from the north-east, one or two inches lower than the readings given in our Monday's issue at those noted in this place. It would appear from the above-mentioned position of the vessel that the vessel has been in the opinion expressed in this paper of the 9th instant, that the strength of the gale would be found Southward and Eastward of this point. The barometer of the Sea Gull marked yesterday morning at 7 a.m. 29.91 (rising), and that from which the given in this paper, at 8 a.m., stood at 29.89 (rising), and at 9 a.m. had reached 29.87, and was at 10 a.m. 29.85, and at 11 a.m. 29.83, and at 12 noon 29.81, and at 1 p.m. 29.79, and at 2 p.m. 29.77, and at 3 p.m. 29.75, and at 4 p.m. 29.73, and at 5 p.m. 29.71, and at 6 p.m. 29.69, and at 7 p.m. 29.67, and at 8 p.m. 29.65, and at 9 p.m. 29.63, and at 10 p.m. 29.61, and at 11 p.m. 29.59, and at 12 noon 29.57, and at 1 p.m. 29.55, and at 2 p.m. 29.53, and at 3 p.m. 29.51, and at 4 p.m. 29.49, and at 5 p.m. 29.47, and at 6 p.m. 29.45, and at 7 p.m. 29.43, and at 8 p.m. 29.41, and at 9 p.m. 29.39, and at 10 p.m. 29.37, and at 11 p.m. 29.35, and at 12 noon 29.33, and at 1 p.m. 29.31, and at 2 p.m. 29.29, and at 3 p.m. 29.27, and at 4 p.m. 29.25, and at 5 p.m. 29.23, and at 6 p.m. 29.21, and at 7 p.m. 29.19, and at 8 p.m. 29.17, and at 9 p.m. 29.15, and at 10 p.m. 29.13, and at 11 p.m. 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BUSINESS ANNOUNCEMENTS

[illegible]